

DECLARATION EQPOTILITY PATENT APPLICATION

Attorney Docket No. :

210121.455C16

JAN 1 1 2002

First Named Inventor:

Tongtong Wang

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below under my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## COMPOSITIONS AND METHODS FOR THE THERAPY AND DIAGNOSIS OF LUNG CANCER

which is described and claimed in the specification and claims of continuation-in-part (C-I-P) Patent Application No. 09/897,778, as filed in the United States Patent and Trademark Office on June 28, 2001, ("this application") for which a patent is sought.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under 35 U.S.C. § 365(c) of any PCT international application(s) designating the United States of America, as listed below and insofar as the subject matter of each of the claims of this application is not disclosed in at least one of the below-listed United States or PCT International applications in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application in accordance with 37 C.F.R § 1.56, including material

information which became available between the filing date of any of the below-listed applications and the national or PCT international filing date of this (C-I-P) application.

| Priority Information | Filing Date (MM/DD/YYYY) | Patent Number | Attorney Docket<br>Number |
|----------------------|--------------------------|---------------|---------------------------|
| 09/850,716           | 05/07/01                 |               | 210121.455C15             |
| 09/735,705           | 12/12/00                 |               | 210121.455C14             |
| 09/685,696           | 10/09/00                 |               | 210121.455C13             |
| 09/662,786           | 09/15/00                 |               | 210121.455C12             |
| 09/643,597           | 08/21/00                 |               | 210121.455C11             |
| 09/630,940           | 08/02/00                 |               | 210121.455C10             |
| 09/606,421           | 06/28/00                 |               | 210121.455C9              |
| 09/542,615           | 04/04/00                 |               | 210121.455C8              |
| 09/510,376           | 02/22/00                 |               | 210121.455C7              |
| 09/480,884           | 01/10/00                 |               | 210121.455C6              |
| 09/476,496           | 12/30/99                 |               | 210121.455C5              |
| 09/466,396           | 12/17/99                 |               | 210121.455C4              |
| 09/285,479           | 04/02/99                 |               | 210121.455C3              |
| 09/221,107           | 12/22/98                 |               | 210121.455C2              |
| 09/123,912           | 07/27/98                 |               | 210121.455C1              |
| 09/040,802           | 03/18/98                 |               | 210121.455                |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made

are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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